

Pro Se 1 (Rev. 12/16) Complaint for a Civil Case

UNITED STATES DISTRICT COURT

for the
~~8/24~~ Eastern District of Nebraska

Civil Division

8:24cv379

James L. Wayne

Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-v-

("see attached")

Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

Case No.

(to be filled in by the Clerk's Office)

Jury Trial: (check one) ☒ Yes ☐ No

COMPLAINT FOR A CIVIL CASE

I. The Parties to This Complaint

A. The Plaintiff(s)

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name

JAMES L. WAYNE

Street Address

710 SO. 17TH STREET

City and County

OMAHA, DOUGLAS

State and Zip Code

NEBRASKA 68102

Telephone Number

N/A

E-mail Address

N/A

B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known). Attach additional pages if needed.

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Defendant No. 1

Name SARPY COUNTY JAIL
Job or Title (if known) ACCOUNTING DEPT.
Street Address UNKNOWN
City and County BELLEVUE / LAVISTA, SARPY
State and Zip Code NEBRASKA ZIP CODE UNKNOWN
Telephone Number N/A
E-mail Address (if known) N/A

Defendant No. 2

Name SARPY COUNTY JAIL
Job or Title (if known) COMMISSARY VENDOR
Street Address UNKNOWN
City and County BELLEVUE / LAVISTA SARPY
State and Zip Code NEBRASKA UNKNOWN
Telephone Number N/A
E-mail Address (if known) N/A

Defendant No. 3

Name SARPY COUNTY JAIL
Job or Title (if known) INMATE TABLET PROVIDER
Street Address N/A
City and County BELLEVUE / LAVISTA SARPY
State and Zip Code NEBRASKA UNKNOWN
Telephone Number N/A
E-mail Address (if known) N/A

Defendant No. 4

Name DOUGLAS COUNTY DEPT. OF CORRECTIONS
Job or Title (if known) ACCOUNTING DEPT.
Street Address 710 SO. 17TH STREET
City and County OMAHA, DOUGLAS
State and Zip Code NEBRASKA, 68102
Telephone Number N/A
E-mail Address (if known) N/A

I DEFENDANTS (CONT) The Defendants (I.B. cont)

Defendant No. 5

Name	KEEFE COMMISSARY NETWORK
Job or Title (if known)	COMMISSARY VENDOR 309 DCD0C
Street Address	P.O. Box 17490
City and County	ST. LOUIS (county unknown)
State and Zip Code	63178-7490
Telephone Number	63178-7490
E-Mail Address (if known)	N/A

Defendant No. 6

Name	SMART COMMUNICATIONS/INMATE
Job Title (if known)	INMATE TABLET PROVIDER
Street Address	P.O. Box 9162
City and County	SEMINOLE (county unknown)
State and Zip Code	FLORIDA, 33777-9162
Telephone Number	
E-mail Address (if known)	

Defendant No. 7 SARP COUNTY, NEBRASKA

Defendant No. 8 CITY OF Bellevue, NEBRASKA

Defendant No. 9 Douglas County, NEBRASKA

Defendant No. 10 City of Omaha, NEBRASKA

II. Basis for Jurisdiction

Federal courts are courts of limited jurisdiction (limited power). Generally, only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case arising under the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one State sues a citizen of another State or nation and the amount at stake is more than \$75,000 is a diversity of citizenship case. In a diversity of citizenship case, no defendant may be a citizen of the same State as any plaintiff.

What is the basis for federal court jurisdiction? (check all that apply)

☒ Federal question

☒ Diversity of citizenship

Fill out the paragraphs in this section that apply to this case.

A. If the Basis for Jurisdiction Is a Federal Question

List the specific federal statutes, federal treaties, and/or provisions of the United States Constitution that are at issue in this case.

FIRST, FOURTH, FIFTH, SEVENTH, AND EIGHTH
AMMENDMENTS TO THE CONSTITUTION OF THE UNITED STATES

B. If the Basis for Jurisdiction Is Diversity of Citizenship**1. The Plaintiff(s)****a. If the plaintiff is an individual**

The plaintiff, (name) JAMES L. WAYNE, is a citizen of the
State of (name) NEBRASKA.

b. If the plaintiff is a corporation

The plaintiff, (name) _____, is incorporated
under the laws of the State of (name) _____,
and has its principal place of business in the State of (name) _____.

(If more than one plaintiff is named in the complaint, attach an additional page providing the same information for each additional plaintiff.)

2. The Defendant(s)**a. If the defendant is an individual**

The defendant, (name) _____, is a citizen of
the State of (name) _____. Or is a citizen of
(foreign nation) _____.

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b. If the defendant is a corporation

The defendant, (name) SARPY COUNTY JAIL, is incorporated under the laws of the State of (name) NEBRASKA, and has its principal place of business in the State of (name) NEBRASKA.
 Or is incorporated under the laws of (foreign nation) _____, and has its principal place of business in (name) FLORIDA.

(If more than one defendant is named in the complaint, attach an additional page providing the same information for each additional defendant.)

3. The Amount in Controversy

The amount in controversy—the amount the plaintiff claims the defendant owes or the amount at stake—is more than \$75,000, not counting interest and costs of court, because (explain):

(SEE ATTACHED)

III. Statement of Claim

Write a short and plain statement of the claim. Do not make legal arguments. State as briefly as possible the facts showing that each plaintiff is entitled to the damages or other relief sought. State how each defendant was involved and what each defendant did that caused the plaintiff harm or violated the plaintiff's rights, including the dates and places of that involvement or conduct. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

(SEE ATTACHED)

IV. Relief

State briefly and precisely what damages or other relief the plaintiff asks the court to order. Do not make legal arguments. Include any basis for claiming that the wrongs alleged are continuing at the present time. Include the amounts of any actual damages claimed for the acts alleged and the basis for these amounts. Include any punitive or exemplary damages claimed, the amounts, and the reasons you claim you are entitled to actual or punitive money damages.

Plaintiff requests numbered copy

V. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

A. For Parties Without an Attorney


I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing:

9-18-24

Signature of Plaintiff

Printed Name of Plaintiff


JAMES L. WAYNE

B. For Attorneys

Date of signing:

Signature of Attorney

Printed Name of Attorney

Bar Number

Name of Law Firm

Street Address

State and Zip Code

Telephone Number

E-mail Address

II.

BASIS FOR JURISDICTION (cont)

2. c. If the defendant is a corporation

The defendant DOUGLAS COUNTY JAIL, is incorporated under the laws of FLORIDA and has its principal place of business in FLORIDA and NEBRASKA

d. If the defendant is a corporation

The defendant SMART COMMUNICATIONS is incorporated under the laws of FLORIDA and NEBRASKA, and has its principal place of business in FLORIDA

e) If the defendant is a corporation

SARPY COUNTY JAIL is incorporated under the laws of NEBRASKA and FLORIDA, and has its principal place of business in NEBRASKA

III BASIS FOR JURISDICTION (cont.)

3. The Amount in Controversy

Plaintiff avers the amount due and at stake do, and should differ substantially, because of the harm Defendant(s) have done and will do again. It's well in excess of the \$ 75,000 cited. Defendants have inflicted monetary, mental, and emotional damages to Plaintiff. \$ 1,000,000 minimum. Or as THIS HONORABLE COURT and JURY deems "just" for compensation and punitive damages.

III

STATEMENT OF CLAIM (S)

I

Plaintiff deposes and states; being taken into custody by the police dept. in Bellevue, NE. at approx. 10^{PM}, December 27, 2023. I, Plaintiff was transported to Sarpy County Jail. Plaintiff was booked in and handed a tablet and informed "all communications about anything must be done via this device." Plaintiff was not shown, instructed on how to navigate this device.

II

Plaintiff eventually was shown how to purchase commissary, etc via this tablet and did so, on or about December 28, 2023. Approx. \$50⁰⁰ worth. With inmate assistance

III

On January 2, 2024 Plaintiff was booking for transfer to Douglas County Jail, minus the commissary ordered, refund, or conversation about it. I was threatened by Sarpy County Staff, not the Marshalls.

IV

Upon arrival at Douglas County Jail, Plaintiff was met with the same indifference and physical threats in seeking relief from staff.

III

STATEMENT OF CLAIMS
(CONT)

I

- (a) Sarpy County Jail (hereinafter, Defendant) violated Plaintiff's 8TH Amendment right against cruel and unusual punishment by "not even ascertaining if Plaintiff could even read, knew the fundamental ways to operate device, given a manual to assist in this endeavor," since; "all communications had to be done via device"

III

- (a) Defendant violated Plaintiff's 4TH and 5TH Amendment rights of being free from having personal property seized, as well as; 1ST and 7TH Amendment violations for denying redress to remedy, and threats of physical violence to Plaintiff

IV

- (a) Defendant violated Plaintiff's 1ST, 7TH, and 8TH Amendment rights by not allowing redress to the situation while the circumstances were fresh, they instead threatened violence and denials.

III STATEMENT OF CLAIM (S)IV

Plaintiff avers, that the Defendants independantly and collectively, married into a "out-of-state" alien corporation, which under its umbrella has found a way to thwart liability for, and Plaintiff's enjoyment of and access to Constitutional Protection. This is what these enumerated jails, vendors, administrators have done. Turned themselves and their jobs over to Artificial Intelligence to operate. Defendants are products.

VI

Each Defendant claims no relationship to the other while amassing millions ANNUALLY. The very required documentary evidences this Court Demands; must be requested by this Court from a mainframed down in Florida,

VII

These claims of what these Defendants have and are still doing - proof is: "its the only way these facilities have or conduct business any day," is by daily circumvention of Plaintiff's 1ST, 4TH, 5TH, 7TH, and 8TH Constitutional Ammendment rights

III

STATEMENT OF CLAIMS
(Cont)

V

(a) Defendants marriage to and with an "out of state" entity has welcomed three (3) major points of injuries and damage to Plaintiff's 1ST, 4TH, 5TH, 6TH, 7TH, and 8TH Ammendment rights, they are as follows:

- 1) Whereas there was a clear and distinct difference between these businesses, is now merged in a way to open up interstate commernance issues,
- 2) intellectual property, personal data, medical, mental health, financial, virtually every aspect of Plaintiff's life is at the disposal of an corporation in which the Plaintiff never subscribed to, or had explained that is out-of-this-state
- 3) Artificial Intelligence located in Florida and the proliferation of Synthetic Illegal Drugs has change the landscape of how business is done, rendering the age-old practice of establishing a paper trail for business in jails and prison extinct

IIISTATEMENT OF CLAIM(S)
(CONT)V

(b) Defendants removal of the "human element" harms Plaintiff's ability to be secure about the safety of and integrity of evidences stored in Florida for a business for profit partner in Nebraska which unites in violation 28 U.S.C. § 1331, and 28 U.S.C. § 1332 and violates 5TH and 6TH Ammendment rights

VI

Plaintiff ability to seek/request documentary evidence for this cause requires this very Court to Order from Defendant in Florida (see # 18,187,881 Grievance Form James Wayne # 0137889, 1/3/2024 Inmate Request Form # 21,078,768 9/2/2024, # 21,090,668 9/3/2024 is still pending to date) which violates Plaintiffs 1ST Ammendment to petition government

IV RELIEF

I

Plaintiff asks this Honorable Court to be placed on a expedited docket because of the volume of business traffic, and daily damage done by Defendants, to be considered in Plaintiff's Request for an Preliminary Injunction To Cease and Desist Order by this "out-of-state" venture of Defendants.

II

Plaintiff actual monetary loss is approx. \$50.00; however; the intangible damages of having one's blatantly usurped rights dangled in Plaintiff's face is demeaning, disrespectful, unprofessional, and cruel. Defendants took my money, commissary, respect and clearly don't intend to make Plaintiff whole again, no matter how much time is afforded.

III

Plaintiff has the right to "stop the presses" until this is corrected, and the \$1,000,000.00 is merely pocket change for the harm done by Defendants.

IV

Plaintiff asks; what's the going price for selling one's Constitutional Rights vs. Money?

Plaintiff claims and states; that each cited Defendant either had a direct hand in harming Plaintiff or by indirectly doing the work of voting in creating this detrimental infrastructure.

Plaintiff further directs This Honorable Courts attention to Defendants data banks to subpoena required trial evidences, they are as follows

SMART COMMUNICATIONS / INMATE
JAMES WAYNE #0137889
OMAHA , DOUGLAS
NEBRASKA 68102
and

SMART COMMUNICATIONS / INMATE
P.O. Box 9162
SEMINOLE , FLORIDA 33777-9162

RE:	DOUGLAS COUNTY	
GRIEVANCE	DATE FILED	TYPE
REF# 18,187,881	1-3-2024	INMATE ACCOUNTS

SARPY COUNTY

BOOKING RECORDS

JAMES L. COFFEY
#0137889, UNIT 13-1
710 SO. 17TH STREET
OMAHA, NEBRASKA
68102



quadrant
FIRST-CLASS MAIL
PM
\$002.87²

POSTAGE

THIS MAIL WAS SENT
FROM THE
DOUGLAS COUNTY
CORRECTIONAL CENTER

CLERK OF THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEBRASKA
111 SOUTH 18TH PLAZA #1152
OMAHA, NEBRASKA 68102

{ PRIVILEGED MAIL
DO NOT OPEN }

RECEIVED

SEP 24 2024

CLERK
U.S. DISTRICT COURT

